

REMARKS

Applicant thanks the Examiner for the interview of October 14, 2004.

Claims 9 - 11, 13 - 17, and 21 are pending. Kindly cancel Claims 18 and 21. Claim 22 has been added.

35 U.S.C. §103

Claims 9, 13-16, and 21 were rejected under 35 U.S.C. §103(a) as being unpatentable over either Wagner or Ostrobrod (with respect to Claims 9, 13 - 16) in view of Knots, Ascherin, or Krammerer.

Applicant respectfully traverses this rejection.

The recited art does not show the combination of the present claims. The primary references cited by the Examiner are metal structures. It would be inappropriate to modify these metal structures with a rope knot, such as a Prusik knot. One of skill in the art would not use a rope knot on cables, etc. due to breakage concerns. The cited prior art shows, at most, active use of a Prusik knot for climbing but does not show passive use of a rope knot for arresting a fall.

Also, the present invention has been very successful in the marketplace. If Applicant needs to provide evidence of secondary considerations, he can, but believes the claims are non-obvious without resort to secondary considerations.

The recited primary references, as discussed above are metal structures so they do not disclose or make obvious the “rope” limitations in Claim 9. For at least these reasons, Claim 9 is not rendered obvious by the examiner’s combination of references. Claims 13-16 depend from Claim 9, for the reasons discussed for Claim 9, these claims are also not rendered obvious by the examiner’s combination.

Claim 21 has been cancelled. Therefore, this rejection is moot for Claim 21.

Claims 10 and 11 were rejected under 35 U.S.C. §103(a) as being unpatentable over either Wagner or Ostrobrod in view of Knots, Ascherin, or Krammerer, as applied to Claim 9 above, and further in view of Van Patten.

Applicant respectfully traverses this rejection. The primary references are discussed above for Claim 9.

The reasons why Claim 9 is not rendered obvious by the combination of Wagner or Ostrobrod in view of Knots, Ascherin, or Krammerer are discussed above. Claims 10 and 11 depend from Claim 9 and for at least these same reasons, these claims are not rendered obvious. Van Patten does not remedy the deficiencies of the primary references.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over either Wagner or Ostrobrod in view of Knots, Ascherin, or Krammerer, as applied to Claim 9 above, and further in view of Crawford.

Applicant respectfully traverses this rejection.

The reasons why Claim 9 is not rendered obvious by the combination of Wagner or Ostrobrod in view of Knots, Ascherin, or Krammerer are discussed above. Claim 17 depends from Claim 9 and for these same reasons, this claim is not rendered obvious. Crawford does not remedy the deficiencies of the primary references.

In view of the response submitted herein, it is believed that all claims are now allowable, and that the application has been placed in full condition for issue. Accordingly, Applicant earnestly solicits early and favorable action. Should there be any further questions or reservations, the Examiner is urged to telephone Applicant's undersigned attorney at 770.984.2300.

Respectfully submitted,



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